

## PORT AND SOLID WASTE DEPARTMENT



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**APPROVED 10.11.10**

CHARLES J. LARSCHEID

PORT AND SOLID WASTE DIRECTOR

### **PROCEEDINGS OF THE BROWN COUNTY HARBOR COMMISSION**

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A meeting was held on Thursday, **SEPTEMBER 13, 2010**, 11:30am., at Holiday Inn – City Centre, Green Bay, WI. The meeting was officially called to order by President McKloskey.

#### Roll Call:

Present: President Neil McKloskey  
Vice-President Ron Antonneau  
Commissioner Tom Klimek  
Commissioner Bill Martens  
Commissioner John Gower (arrived at 11:40am)  
Commissioner John Hanitz  
Commissioner Bernie Erickson  
Commissioner Hank Wallace

Excused: Commissioner Craig Dickman

Also Present: Charles Larscheid, Brown County Port & Solid Waste  
Dean Haen, Brown County Port & Solid Waste  
Mark Walter, Brown County Port & Solid Waste  
Paul Lemens, ENCAP  
Chip McDonald, McDonald Lumber  
Angela Moore, McDonald Lumber

#### 3. Approval/Modification – Meeting Agenda

**A motion was made by John Hanitz and seconded by Neil McKloskey to approve the agenda.** Unanimously approved.

#### 4. Approval/Modification – July 19, 2010 Meeting Minutes

**A motion to approve the July 19, 2010 meeting minutes was made by Bernie Erickson and seconded by Hank Wallace.** Unanimously approved.

#### 5. ENCAP Beneficial Reuse of Dredge Material Project

- a. Project Overview, Paul Lemens, ENCAP
- b. Non-Disclosure Agreement – *Request for Approval*
- c. WDNR Solid Waste Management Plan

Manager Haen attended a UWGB-sponsored conference in spring where he began discussions with ENCAP regarding using Bayport dredge material as a renewable resource. Paul Lemens from ENCAP provided background information on the company, their partnerships, product concepts for a granulated soil to fertilizer spread and answered questions from the Commission. ENCAP will continue testing and studies on the reuse of dredge material and is hopeful to begin marketing of the product next spring.

Additional Bayport dredged material has been sent to ENCAP in order to perform a larger demonstration project. A Wisconsin Department of Natural Resources (WDNR) permit was necessary in order to remove a ton of material from Bayport. ENCAP is asking Brown County to sign a Non-Disclosure Agreement to protect their proprietary interests. Brown County Corporation Counsel has reviewed the Agreement and has incorporated some open records requirements into the Agreement. This Agreement will not affect the Port in regards to managing dredged material. If this project takes off, approximately 100,000 cubic yards per year could be taken out of Bayport. This project could prove to be a marketable resource and a valuable asset to the Port. Staff is recommending approval of the Non-Disclosure Agreement. ENCAP will perform a full chemical analysis on the finished product and expects a soft launch to take place locally next summer and then at the national hardware show the following year. ENCAP has filed for patent protection on this process. Staff noted that although the WDNR supports the project, solid waste management rules will prevail. Discussion ensued.

**A motion to approve the Non-Disclosure Agreement was made by Tom Klimek and seconded by John Gower.** Unanimously approved.

6. Flint Hills Resources, LLC Assignment of 1990 & 1996 dockwall leases to Flint Hills Resources Pine Bend, LLC

Flint Hills Resources has requested approval to change their LLC from Flint Hills Resources to Flint Hills Resources Pine Bend. This is a typical assignment and similar to the one done recently changing the name from Koch Materials to Flint Hills Resources. The Assignment has been approved by Brown County Corporation Counsel.

**A motion to approve the dockwall lease was made by Bernie Erickson and seconded by Neil McKloskey.** Unanimously approved.

7. Polaris Industries FTZ 167 – Update

Polaris Industries notified the Port in June 2010 that they will be closing their facility in Wisconsin within the next 18 to 24 months. Polaris is part of the Green Bay Foreign Trade Zone (FTZ) and pays Brown County \$1000 per month to use the FTZ. The Port's budget for 2012 will be affected, however, staff indicated that Marinette Marine, which was created in the fourth subzone six months ago, could hopefully make up that difference. In December, Marinette will be notified whether they will be awarded the Navy contract.

8. Tall Ship Festival Recap – Update

Staff thanked Hank Wallace, John Gower, Tom Klimek, Bernie Erickson, and John Hanitz who volunteered at the Tall Ship Festival. Can coolers were distributed to the Commissioners. The event had an attendance of 50,000 with a total cost to the Port of \$4000. Staff was pleased with the success of the event

9. Cat Island Chain Restoration Project – Update

The Dredge Material Management Plan (DMMP) has been approved by the U.S. Army Corps of Engineers (USACE) headquarters and should go out this week for a 30-day public comment period. Lt. Col. Michael Derosier, recently assumed command of the USACE – Detroit District, and will be in Green Bay on September 21<sup>st</sup> to discuss the Cat Island and Renard Island projects. The Port will need to have a Project Cooperative Agreement and Memorandum of Understanding negotiated. A copy of this was in the July Agenda Packet. Brown County Corporation Counsel is reviewing the documents along with staff in order to get the documents in proper form. At a news conference on Thursday, the Port was formally awarded the GLRI grants for Cat Island and Renard Island. In addition, the Port has filed with the NRDA through U.S. Fish & Wildlife for the \$800,000 amount held for Cat Island. The Wisconsin Department of Transportation has received their grant agreement and is similar to the Harbor Assistance Grants done by the Port in the past. Brown County has not received the grant agreements for the GLRI as of this date.

Staff is putting together a document for all concerned parties (Brown County Parks, Brown County Conservation Alliance & Wisconsin Department of Natural Resources) which outlines the easement. Approval is needed from all three parties. Once easements are received, then a Chapter 30 permit to allow crossing this piece of property will be needed from the State of Wisconsin. Within the next two weeks, the USACE will be in Green Bay to meet with the above-mentioned parties along with the Remedial Action Plan Work Group and Bio-Habitat to do a walk-through of the property. The Commission is invited to attend. The USACE has the Plans and Specifications about 50% completed.

10. Closure of Renard Island – Update

The USACE has applied for a Chapter 30 permit to build the causeway to Renard Island. The WDNR has completed their public comment period. Staff has a draft permit in hand, however, the details are still being worked on. One point of contention is that the WDNR is requesting 90 days for further analysis on some items. If that happens, the installation of the causeway to Renard Island by the USACE will not take place this year. The grant was just awarded so we are waiting to submit our grant agreement. A construction bid needs to be developed immediately and will be brought for approval to next month's meeting. This is a \$1.6M construction project.

11. Audit of Bills – Request for Approval

**A motion to approve the bills was made by Bill Martens and seconded by Ron Antonneau.** Unanimously approved.

12. Tonnage Report

Tonnage report was handed out at the meeting. Tonnage to date is equal to last year. In April tonnage was 120% higher than last year, May 70%, June 30%, July 10% and August was even. The Port, however, has not received all the shipments of salt for the year.

13. Director's Report

- The budget was passed in July. The 5% budget cuts that were part of the budget as requested were not accepted by the County Executive.
- Mark Walter, Facility Manager was introduced. This newly-created position will have 35% of its responsibilities as Port's activities. Mr. Walter previously held the position of Director at the Bay-Lake Planning Commission.
- Port of Green Bay Signage has been put on gas pump toppers as well as on the metro buses as part of the Harbor Prosperity PR campaign. Staff reported that a lot of positive feedback has been received. The Commission asked if this campaign extended into the Valley. Discussion ensued.

14. Such Other Matters as Authorized by Law

There were no other matters to discuss.

15. Adjourn

**A motion to adjourn was made by John Gower and seconded by Neil McKloskey.** Meeting adjourned at 1:00pm.

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Neil McKloskey, President  
Harbor Commission

Charles Larscheid, Director  
Port & Solid Waste Department